JWPC
CHARTERED
TOWN PLANNERS

20/L/061

22nd October 2021

Ribble Valley Borough Council
Council Offices,
Church Walk,
Clitheroe
BB7 2RA

Dear Sir/Madam,

SUBMISSION OF SECTION 73 PLANNING APPLICATION TO REMOVE CONDITIONS ON PERMISSION 3/2006/0302 – WOODFOLD PARK STUD, FURTHER LANE, MELLOR

Please see enclosed a planning application form and site location plan regarding a Section 73 application to remove two conditions attached to the above planning consent for a stud farm and house. The owner is seeking to remove these conditions in order to lift the restrictions placed on the property when it was permitted 15 years ago. The dwelling and stud farm were constructed and operated as such until recently. The stud, together with associated land, was purchased by Mr and Mrs Gough in 2009, and between 2010 and 2020 was operated as a stud farm having 18 horses at its peak, being a mixture of breeding mares and their foals.

In 2011, soon after the business began, the value of the horse market took a significant downturn and during the period of operation the business model accumulated capital losses which were carried forward each year. Subsequently, HMRC has judged that the business model was unsustainable and outside the regulations to allow the stud to continue. This was solely due to the fall and continued downturn in the value of the horse market during the period in which the site was operating. The website www.woodfoldparkstud.co.uk timelines the breeding programme of the operation in that time period.

At no time from 2010 to the present day has Woodfold Park Stud been used as a livery yard and has only ever accommodated mares and foals associated with the stud. The proposal has been operated within the limits of the planning conditions imposed throughout the permission for more than ten years with the applicant incurring losses in that time whilst seeking to make the business model sustainable. However, due to the position of HMRC in this regard, they are now seeking to remove the conditions on the property.

The conditions were imposed for the stated reason that "the construction of a new dwelling not relating to the associated stud farm business" was considered contrary to policies in the Local Plan. As the buildings have been in place for well in excess of 10 years they are not new constructions, but more importantly, the conditions imposed tied them to the operation of a business no longer considered sustainable on this site. This provides suitable justification for the removal of the conditions to allow the premises to become a standalone residential dwelling.

Conditions 5 and 6 of the planning consent restricted the use of the dwelling to be occupied only by the manager of the proposed stud farm and his/her family, and not by any other person(s) except without the prior permission of the Local Planning Authority. Condition 6 limits the overnight accommodation to being used only by the owners of individual horses as sleeping accommodation on a temporary basis. These conditions limit the use of the residential elements of the property but unfortunately cannot continue to be considered relevant as the stud business on this premises has been determined to be unsustainable. The applicant therefore now seeks to remove these conditions to allow regular residential accommodation for the building.

The application form and requisite fee are provided and we hope the application is determined in due course with consideration of the information submitted. We would be happy to discuss this further with the case officer if so required.

Yours faithfully,

Stuart Booth MRTPI
Associate

RTPI
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